

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

MIDDLE

District of

ALABAMA

WHITNEY NATIONAL BANK

SUMMONS IN A CIVIL ACTION

V.

HIGHWAY SOLUTIONS, LLC;  
MICHAEL C. MARCATO and  
ANNE S. MARCATO

CASE NUMBER:

2:07CV415-1D

TO: (Name and address of Defendant)

Anne S. Marcato  
3375 Thomas Avenue  
Montgomery, Alabama 36107

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Dennis R. Bailey  
Rushton, Stakely, Johnston & Garrett, P.A.  
Post Office Box 270  
Montgomery, Alabama 36101-0270

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

*Debra P. Hackett*

CLERK

*Don Achten*

(By) DEPUTY CLERK

DATE

*5/14/07*

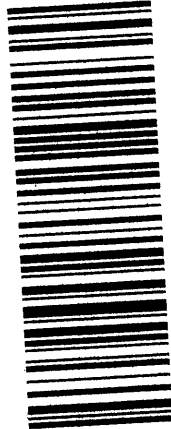
AO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ <i>Signature of Server</i> _____</p> <p style="text-align: center; margin-top: 20px;">_____ <i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

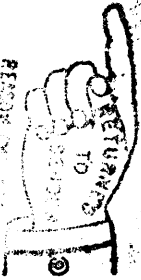
Debra P. Hackett, Clerk  
United States District Court  
Post Office Box 711  
Montgomery, AL 36101

**UNITED STATES MAIL**



7002 2030 0004 1449 8457

**UNCLAIMED**



Anne S. Marcato  
3375 Thomas Avenue  
Montgomery, AL 36104

RECORD  
UNDER X  
Addressed to  
Montgomery, AL  
Do not re-  
use this card



UNITED STATES POSTAGE  
02 1A  
\$0.4358005  
MAILED FROM ZIP CODE 36104  
**\$ 05.36<sup>0</sup>**  
UNITED STATES POSTAGE  
02 1A  
\$0.4358005  
MAILED FROM ZIP CODE 36104

Noted  
Noted  
2nd Notice  
5-21  
5-23  
5-25